

# DECLARATION

COPY

As a below named inventor, I declare that:

My residence, post office address and citizenship are as stated below next to my name; I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural inventors are named below) of the subject matter which is claimed and for which a patent is sought on the invention entitled: **BIOPSY LOCALIZATION METHOD AND DEVICE** the specification of which \_\_\_\_\_ is attached hereto or X was filed on June 18, 1999 as Application No. 09/336,360 and was amended on \_\_\_\_\_ (if applicable).

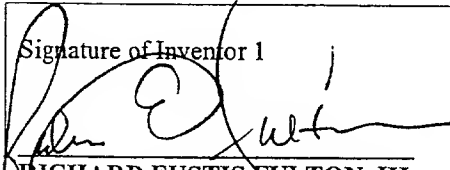
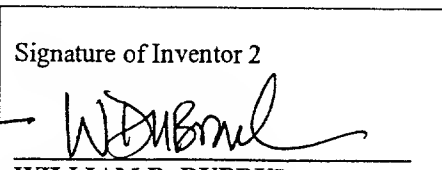
I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to patentability as defined in Title 37, Code of Federal Regulations, Section 1.56. I claim foreign priority benefits under Title 35, United States Code, Section 119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

I hereby claim the benefit under Title 35, United States Code § 119(e) of any United States provisional application(s) listed below:

Application No.	Filing Date
60/090,243	June 22, 1998
60/092,734	July 14, 1998
60/114,863	January 6, 1999
60/117,421	January 25, 1999

Full Name of Inventor 1:	Last Name: <b>FULTON, III</b>	First Name: <b>RICHARD</b>	Middle Name or Initial: <b>EUSTIS</b>
Residence & Citizenship:	City: <b>Grand Junction</b>	State/Foreign Country: <b>Colorado</b>	Country of Citizenship: <b>United States</b>
Post Office Address:	Post Office Address: <b>1556 Wellington Avenue</b>	City: <b>Grand Junction</b>	State/Country: <b>Colorado</b> Postal Code: <b>81501</b>
Full Name of Inventor 2:	Last Name: <b>DUBRUL</b>	First Name: <b>WILLIAM</b>	Middle Name or Initial: <b>R.</b>
Residence & Citizenship:	City: <b>Redwood City</b>	State/Foreign Country: <b>California</b>	Country of Citizenship: <b>United States</b>
Post Office Address:	Post Office Address: <b>1 Uccelli Blvd., Ste. A-7</b>	City: <b>Redwood City</b>	State/Country: <b>California</b> Postal Code: <b>94063</b>

I further declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

Signature of Inventor 1  <b>RICHARD EUSTIS FULTON, III</b>	Signature of Inventor 2  <b>WILLIAM R. DUBRUL</b>
Date <u>Aug 10, 1999</u>	Date <u>8/12/99</u>

COPY

Atty. Docket: ARTM 1000-1US

**SUPPLEMENTAL DECLARATION  
FOR UTILITY PATENT APPLICATION**

As a below-named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name;

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

***BIOPSY LOCALIZATION METHOD AND DEVICE***

the specification of which

is attached hereto.

X

was filed on June 18, 1999 as U.S. Application No. 09/336,360  
and was amended on September 21, 1999; June 7, 2000; August 22, 2000;  
November 21, 2000; March 12, 2001; and March 29, 2001  
(if applicable)

I hereby declare that the subject matter of the amendments filed on September 21, 1999; June 7, 2000; August 22, 2000; November 21, 2000; March 12, 2001; and March 29, 2001 was part of our invention and was invented before the filing date of the original application, above identified for such invention.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a) which states in relevant part: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section....The duty to disclose all information known to be material to patentability is deemed to be satisfied if all information known to be material to patentability of any claim issued in a patent was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98."

I hereby claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate as indicated below and have also identified below any foreign application for patent or inventor's certificate on this invention having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>
<u>(Number)</u>	<u>(Country)</u>	<u>(Day/Month/Year Filed)</u>	<u>Yes</u>	<u>No</u>

1000-1US-ARTM-09/336360

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s), and under §119(e) of any United States provisional application(s), listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulation, §1.56(a) which occurred between the filing date of the prior application and the national or PCT international filing date of this application:

<u>60/090,243</u> (Application Serial No.)	<u>June 22, 1998</u> (Filing Date)	<u>                    </u> (Patented, Pending, Abandoned)
<u>60/092,734</u> (Application Serial No.)	<u>July 14, 1998</u> (Filing Date)	<u>                    </u> (Patented, Pending, Abandoned)
<u>60/114,863</u> (Application Serial No.)	<u>January 6, 1999</u> (Filing Date)	<u>                    </u> (Patented, Pending, Abandoned)
<u>60/117,421</u> (Application Serial No.)	<u>January 27, 1999</u> (Filing Date)	<u>                    </u> (Patented, Pending, Abandoned)

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Title 18, United States Code, §1001 and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

Full name of **first** joint  
inventor, if any:

RICHARD E. FULTON

Inventor's signature:



Date:

5-18-01

Citizenship:

United States of America

Residence:

Grand Junction, Colorado

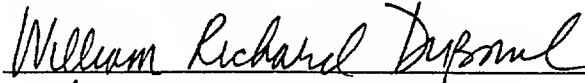
Post Office Address:

1556 Wellington Avenue, Grand Junction, Colorado 81501

Full name of **second** joint  
inventor, if any:

WILLIAM RICHARD DUBRUL

Inventor's signature:



Date:

May 15, 2001

Citizenship:

United States of America

Residence:

Redwood City, California

Post Office Address:

No. 1 Uccelli Boulevard, Redwood City, California 94

Docket No. 214336US-25 CONT

IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF:

FULTON III, ET AL.

GAU: 3736 (Anticipated)

SERIAL NO: 09/900,801

EXAMINER: B. Szmal (Anticipated)

FILED: JULY 6, 2001

FOR: BIOPSY LOCALIZATION METHOD  
AND DEVICE

REVOCATION AND POWER OF ATTORNEY

ASSISTANT COMMISSIONER FOR PATENTS  
WASHINGTON, D.C. 20231

SIR:

Artemis Medical, Inc., assignee of the above identified application, by assignment recorded at Reel 011439, Frame 0045, hereby (1) revokes the prior power of attorney and (2) gives the following attorneys and agent powers of attorney to prosecute the above-identified application and to transact business in the Patent and Trademark Office, including any and all interferences involving this application:

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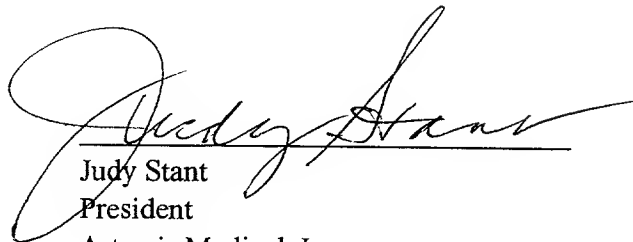
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Respectfully submitted,



Judy Stant  
President  
Artemis Medical, Inc.